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PATENT
Attorney Docket 051173-5004 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of: **Julien Lefebvre et al.**

Application No. **10/670,733**

Group Art Unit: **1772**

Filed: **September 26, 2003**

Examiner: **Sow-Fun Hon**

For: **Elastomeric Film With Anti Skid Additive**

U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Amendment**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

TRANSMITTAL FORM

1. Transmitted herewith is Resubmission of Replacement Drawings in response to the Notice of Non-Compliant Amendment dated September 30, 2005.
2. Additional Papers Submitted:
(i) Copy of Notice of Non-Compliant Amendment
(2) 20 sheets of drawings (Figures 1A to 20)
3. Extension of Time: The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136(a) apply. Applicants do not believe an extension of time is required. However, if Applicants have inadvertently overlooked the need for an additional extension of time, please consider this a petition therefore. The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.
4. Fee Calculation (37 C.F.R. 1.16):

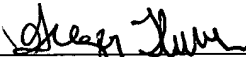
CLAIMS AS AMENDED						
	Remaining		Previously Paid	Extra	Rate	Total Fees
Total Claims	30	minus	33	0	\$50.00 each=	0.00
Independent Claims	1	minus	3	0	\$200.00 each=	0.00
First presentation of Multiple dependent claim					\$360.00	0.00
Sub-total =						0.00
Reduction by 1/2 for filing by a small entity						0.00
Total Fee =						\$0.00

5. Constructive Petition: Except for issue fees payable under 37 C.F.R. 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This

paragraph is intended to be a **constructive petition for extension of time** in accordance with 37
C.F.R. 1.136(a)(3).

Dated: **October 11, 2005**
Morgan, Lewis & Bockius LLP
Customer No. **09629**
1111 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
202-739-3000

Respectfully submitted,
Morgan, Lewis & Bockius LLP



Gregory T. Lowen
Registration No. 46,882



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,733	09/26/2003	Julien Lefebvre	051173-5004-US	6762

9629 7590 09/30/2005
MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004



EXAMINER
HON, SOW FUN

ART UNIT PAPER NUMBER

1772

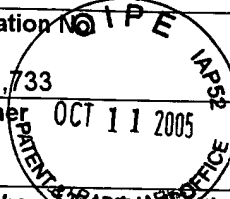
DATE MAILED: 09/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Docketed 10/04/05 Attorney JDZ/GTL
Case 51173-5004
Due Date October 30, 2005
Action Non-Compliance - Response Due
By GD Chk 162

RECEIVED
OCT 03 2005
MORGAN, LEWIS & BOCKIUS LLP

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No. 10/670,733	
Examiner HON	

Applicant(s) LEFEBVRE ET AL.	
Art Unit 1772	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 23 September 2005 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☒ 3. Amendments to the drawings:
 - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted within the time period set forth in the final Office action.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action.

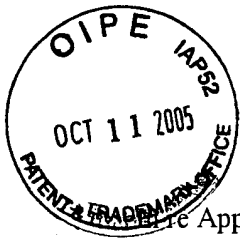
Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

PHYLLIS CANTY/LEGAL INSTRUMENT EXAMINER/GROUP 1700/571-272-0996

Phyllis Canty



PATENT
Attorney Docket 051173-5004 US

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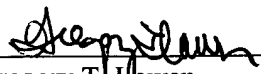
RESUBMISSION OF REPLACEMENT DRAWINGS

In response to the Notice of Non-Compliant Amendment dated September 30, 2005, Applicants resubmit herewith twenty (20) sheets of replacement drawings containing Figures 1A to 20. It is respectfully requested that these drawings be approved and replace the as-filed informal drawings in the above-identified application.

If there are any fees due in connection with the filing of these drawings, please charge the fees to our Deposit Account No. 50-310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Dated: October 11, 2005
Morgan, Lewis & Bockius LLP
Customer No. 09629
1111 Pennsylvania Avenue
Washington, D.C. 20004
Tel: 202-739-3000
Fax: 202-739-3001

Respectfully submitted,
Morgan, Lewis & Bockius LLP



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